

**SUPREME COURT MINUTES
TUESDAY, AUGUST 3, 2010
SAN FRANCISCO, CALIFORNIA**

S029011**PEOPLE v. SOLOMON, JR.,
(MORRIS)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to October 13, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

S042346**PEOPLE v. JONES (BRYAN
MAURICE)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by October 15, 2010, counsel's request for an extension of time in which to file that brief is granted to October 18, 2010. After that date, no further extension is contemplated.

S062417**PEOPLE v. SILVERIA
(DANIEL TODD) & TRAVIS
(JOHN RAYMOND)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender John Fresquez's representation that he anticipates filing appellant Daniel Todd Silveria's opening brief by October 10, 2010, counsel's request for an extension of time in which to file that brief is granted to October 12, 2010. After that date, no further extension is contemplated.

S087533**PEOPLE v. POPS (ASWAD) &
WILSON (BYRON)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing appellant Byron Wilson's opening brief by March 7, 2011, counsel's request for an extension of time in which to file that brief is granted to October 5, 2010. After that date, only three further extensions totaling about 160 additional days will be granted.

S177401 B208225 Second Appellate District, Div. 5 **O'NEIL (BARBARA J.) v.
CRANE COMPANY**

Extension of time granted

On application of amicus curiae Caterpillar, Inc., and good cause appearing, it is ordered that the time to serve and file its application for permission to file the amicus curiae brief and amicus curiae brief are hereby extended to August 5, 2010.

S177401 B208225 Second Appellate District, Div. 5 **O'NEIL (BARBARA J.) v.
CRANE COMPANY**

Extension of time granted

On application of Consumer Attorneys of California and good cause appearing, it is ordered that the time to serve and file the application to file amicus curiae brief and amicus curie brief is extended to August 6, 2010.

S179918 **GALLEGOS (JOSE M.) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response to the petition for review is extended to September 2, 2010.

S179730 C059288 Third Appellate District **PEOPLE v. BRANNER
(JASPER DWIGHT)**

Order filed

On application of appellant for permission to file an overlength Opening Brief on the Merits is granted.

S181760 A125750 First Appellate District, Div. 2 **ST. JOHN'S WELL CHILD &
FAMILY CENTER v.
SCHWARZENEGGER
(ARNOLD)/(STEINBERG)**

Order filed

For purposes of oral argument, Darrell Steinberg et al., interveners, are deemed to be petitioners along with St. John's Well Child and Family Center, et al.

The court has allocated 90 minutes for oral argument in this matter, divided as follows:

Petitioners (including interveners) will be allocated a total of 45 minutes, including rebuttal.

Counsel for the Governor, respondent, will be allocated a total of 45 minutes.

On or before August 27, 2010, petitioners and interveners will serve and file a joint letter informing the court of (1) the order in which counsel will present oral argument, (2) the amount of time each counsel will argue, and (3) the issue or issues each counsel intends to address. (Each

counsel who argues will be allocated no less than 10 minutes.)

S183411	C061011 Third Appellate District	PROFESSIONAL ENGINEERS IN CALIFORNIA GOVERNMENT v. SCHWARZENEGGER (ARNOLD)/(CHIANG)
	C061009 Third Appellate District	CALIFORNIA ATTORNEYS v. SCHWARZENEGGER (ARNOLD)/(CHIANG)
	C061020 Third Appellate District	SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1000 v. SCHWARZENEGGER (ARNOLD)/(CHIANG)

Order filed

The order, filed August 2, 2010, designating named parties as petitioners, is revised as follows: For purposes of oral argument, Professional Engineers in California Government, California Attorneys, Service Employees International Union, Local 1000, and John Chiang, as State Controller, are deemed petitioners.

Petitioners, as a whole, will be allocated a total of 45 minutes for oral argument (including rebuttal). On or before August 27, 2010, petitioners (for purposes of oral argument) must serve and file a letter informing the court of (1) the order in which counsel will present oral argument, (2) the amount of time each counsel will argue, and (3) the issue or issues each counsel intends to address. (Each counsel who argues must be allocated no less than 10 minutes.)

Counsel for the Governor will be allocated 45 minutes for oral argument.

S183839	SLAUGHTER (MICHAEL COREY) ON H.C.
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Order filed

Good cause appearing, respondent's request for relief from default to file the informal response is granted.

S184998	TARKINGTON (ANTHONY L.) v. S.C. (PEOPLE)
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Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious

petition must be denied.

S183798**BILLS, JR., ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT DAVIS BILLS, JR., State Bar Number 147012, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. ROBERT DAVIS BILLS, JR., is suspended from the practice of law for the first 18 months of probation;
2. ROBERT DAVIS BILLS, JR., must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on April 9, 2010; and
3. At the expiration of the period of probation, if ROBERT DAVIS BILLS, JR., has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT DAVIS BILLS, JR., must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ROBERT DAVIS BILLS, JR., must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. ROBERT DAVIS BILLS, JR., must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S183799**KLEEGER ON DISCIPLINE**

Recommended discipline imposed

The court orders that KENNETH SIDNEY KLEEGER, State Bar Number 102763, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. KENNETH SIDNEY KLEEGER is suspended from the practice of law for the first 60 days of probation;
2. KENNETH SIDNEY KLEEGER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on April 9, 2010; and
3. At the expiration of the period of probation, if KENNETH SIDNEY KLEEGER has complied with all conditions of probation, the one-year period of stayed suspension will be

satisfied and that suspension will be terminated.

KENNETH SIDNEY KLEEGER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. KENNETH SIDNEY KLEEGER must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

S183802**LOYA ON DISCIPLINE**

Recommended discipline imposed

The court orders that PHYLLIS DIANNE-LASATER LOYA, State Bar Number 111767, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. PHYLLIS DIANNE-LASATER LOYA must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 5, 2010; and
2. At the expiration of the period of probation, if PHYLLIS DIANNE-LASATER LOYA has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

PHYLLIS DIANNE-LASATER LOYA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2011, 2012, and 2013. If PHYLLIS DIANNE-LASATER LOYA fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S183805**CARROLL ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRUCE DUANE CARROLL, State Bar Number 108725, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following condition:

1. BRUCE DUANE CARROLL must comply with the conditions of probation recommended

- by the Hearing Department of the State Bar Court in its Decision filed on April 6, 2010; and
2. At the expiration of the period of probation, if BRUCE DUANE CARROLL has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

BRUCE DUANE CARROLL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S183813**SCHOLTEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JILL A. SCHOLTEN, State Bar Number 164629, is summarily disbarred from the practice of law and that her name is stricken from the roll of attorneys.

JILL A. SCHOLTEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. JILL A. SCHOLTEN must reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and payment is enforceable as provided in Business and Professions Code section 6140.5.

S183816**MENDEZ ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID GERARD MENDEZ, State Bar Number 99953, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAVID GERARD MENDEZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S183827**MARQUEZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that PETER MANUEL MARQUEZ, State Bar Number 219823, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. PETER MANUEL MARQUEZ is suspended from the practice of law for a minimum of the first 30 months of probation (with credit given for the period of interim suspension which commenced on August 29, 2008), and he will remain suspended until he provides proof to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).);
2. PETER MANUEL MARQUEZ must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 7, 2010; and
3. At the expiration of the period of probation, if PETER MANUEL MARQUEZ has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

PETER MANUEL MARQUEZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

PETER MANUEL MARQUEZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If PETER MANUEL MARQUEZ fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S183828**TAMURA ON DISCIPLINE**

Recommended discipline imposed

The court orders that RONALD SHUJI TAMURA, State Bar Number 186877, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RONALD SHUJI TAMURA is suspended from the practice of law for the first 30 days of probation (with credit given for the 30-day period of inactive enrollment pursuant to Business and Professions Code section 6233);
2. RONALD SHUJI TAMURA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on April 7, 2010; and
3. At the expiration of the period of probation, if RONALD SHUJI TAMURA has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

RONALD SHUJI TAMURA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. RONALD SHUJI TAMURA must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.